IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

DAVID H. PLEMONS,)	
Plaintiff,)	
v.)))	Civil No. 1:10-0040 Judge Trauger
JAMES FORTNER, Warden,)	Magistrate Judge Bryant
RUBEN HODGE, Assistant Commissioner of)	2 2 ,
Operations, and)	
GAYLE RAY, T.D.O.C. Commissioner,)	
)	
Defendants.)	

ORDER

On January 12, 2011, the Magistrate Judge issued a Report and Recommendation (Docket No. 52), to which no timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that the Motion to Dismiss filed by defendant James Fortner, Ruben Hodge and Gayle Ray (Docket No. 14) is **GRANTED**, and all claims against these three defendants are **DISMISSED WITH PREJUDICE**.

It is so **ORDERED**.

ENTER this 1st day of February 2011.

ALETA A. TRAUGER
U.S. District Judge